

ORIGINAL

FILED
DISTRICT COURT OF GUAM

FEB 28 2008

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Clerk of Court

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IN THE UNITED STATES DISTRICT COURT

FOR THE TERRITORY OF GUAM

08-00018

UNITED STATES OF AMERICA,

Plaintiff,

vs.

ERNESTO PAGLICAWAN VERDERA and
MARK ANTHONY BARTOLOME,

Defendants.

CRIMINAL CASE NO. _____

COMPLAINT

**BULK CASH SMUGGLING
OUT OF THE UNITED STATES**
[31 U.S.C. § 5332]

FORFEITURE ALLEGATION
[31 U.S.C. § 5332(b)(2)]

THE UNDERSIGNED COMPLAINT CHARGES UPON INFORMATION AND BELIEF
THAT:

COUNT I - BULK CASH SMUGGLING OUT OF THE UNITED STATES

On or about February 28, 2008, in the District of Guam, the defendants herein,
ERNESTO PAGLICAWAN VERDERA and MARK ANTHONY BARTOLOME, did
unlawfully and knowingly, with the intent to evade a currency reporting requirement under Title
31, United States Code, Section 5316, conceal more than \$10,000 in currency or other monetary
instruments in an article of luggage and other container, and did attempt to transport said
currency from a place within the United States, to a place outside the United States, to-wit:
approximately \$900,000 in United States currency from Guam to the Philippines, in violation of
Title 31, United States Code, Section 5332.

COUNT II - FORFEITURE ALLEGATION

The allegations of Count I are hereby realleged and incorporated by reference for the

1 purpose of alleging criminal forfeiture pursuant to Title 31, United States Code, Section
2 5332(b)(2), and Title 21, United States Code, Section 853.

3 From their engagement in the violation alleged in Count I of this Indictment, punishable
4 by imprisonment for more than one year, the defendants herein, ERNESTO PAGLICAWAN
5 VERDERA and MARK ANTHONY BARTOLOME, shall forfeit to the United States, pursuant
6 to Title 31, United States Code, Section 5332(b)(2) and Title 21, United States Code, Section
7 853, the personal property involved in the commission of said violation, to-wit: approximately
8 \$900,000 in United States currency, recovered on or about February 28, 2008, from the
9 defendant, all in violation of Title 31, United States Code, Section 5332(b)(2).

10 COMPLAINANT FURTHER STATES:

11 1) 31 C.F.R. § 103.23(b) requires that a person leaving the United States and traveling to
12 a place outside the United States report whether he is carrying in excess of \$10,000 in United
13 States currency to Customs and Border Protection (CBP).

14 2) On February 28, 2008, at approximately 5 a.m., Ernesto Paglicawan Verdera ad Mark
15 Anthony Bartolome checked into the Guam International Airport to depart Guam on Philippine
16 Airlines Flight PR111. The itineraries of both men indicated they were traveling together.
17 Verdera checked in seven pieces of baggage, which were submitted to screening by the
18 Transportation Security Administration (TSA). At the time of check-in, Verdera did not declare
19 that he had any cash in his baggage.

20 3) TSA personnel discovered bulk cash in a box checked by Verdera. This cash was
21 wrapped in carbon paper. At that point, all of Verdera's baggage was pulled from the cargo
22 staging area and two pieces of luggage were X-rayed by TSA personnel. The X-rays revealed
23 suspected bundles of cash hidden in the suitcases. At that point, Immigration and Customs
24 Enforcement (ICE) Task Force Officer Barbara Tayama opened and inspected all of Verdera's
25 baggage. TFA Tayama found a large quantity of cash hidden in five of the seven checked-in
26 pieces of baggage. In each suitcase, the cash had been bundled, wrapped, and concealed in black
27

1 poster board paper lined with carbon paper. In one of the bags, the money had been sewn into
2 the cloth liner. In addition, scented dryer sheets had been wrapped with the cash. In my training
3 and experience, this is done by bulk cash smugglers for the purpose of preventing detection by K-
4 9 units.


5 4) Ernesto Verdera had the baggage claim tickets for all seven pieces of baggage. He was
6 detained and ultimately arrested.

7 5) Mark Anthony Bartolome was detained and questioned. Bartolome told ICE Task
8 Force Officer Peter Ungacta that he and Verdera had been on Guam for vacation, and had stayed
9 together at the Days Inn. They were returning to the Philippines on February 28. Bartolome said
10 that during the course of their stay on Guam, Verdera had been packing bulk cash into various
11 pieces of luggage. Bartolome admitted that he had purchased a box of carbon paper for Verdera
12 to use to wrap the cash. Bartolome said that he and Verdera had been on Guam on a prior
13 occasion, and had carried bulk cash out of Guam in the same manner, without reporting it to
14 Customs and Border Protection.

15 FURTHER AFFIANT SAYETH NAUGHT.

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18 
19 AVERY CEPEDA
20 Special Agent
Immigration and Customs Enforcement

21 SUBSCRIBED AND SWORN to before me on this 28th day of February, 2008.

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23 
24 FRANCES M. TYDINGCO-GATEWOOD
25 Chief Judge
26 District Court of Guam
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